

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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:  
**MICHAEL RODRIGUEZ,** :

**Petitioner,** :

**- against -** :

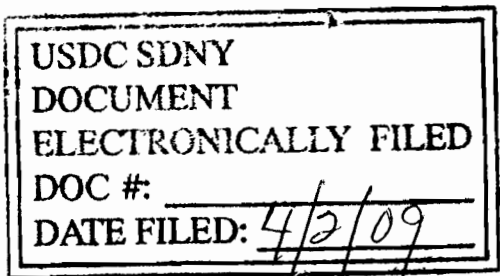
**ROBERT ERCOLE, Superintendent,** :  
**Greenhaven Correctional Facility,** :

**Respondent.** :  
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**SHIRA A. SCHEINDLIN, U.S.D.J.:**

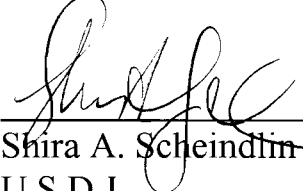
**ORDER**

**07 Civ. 415 (SAS)**



The Clerk of the Court is hereby ORDERED to vacate: (1) this Court's February 26, 2009 Order adopting the Report and Recommendation of Magistrate Judge Michael H. Dolinger, dated August 15, 2008; and (2) the Clerk's Judgment, dated February 27, 2009, dismissing the instant petition with prejudice. The Clerk of the Court is further ORDERED to reinstate the above-captioned case to this Court's active docket. Respondent is hereby ORDERED to respond, in writing, to petitioner's objections to the Report and Recommendation by May 1, 2009.

SO ORDERED:

  
Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
April 2, 2009

**- Appearances -**

**For Petitioner:**

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**For Respondent:**

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